

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 04-CV-12361-NMG

JOHN F. NEVULIS,)
)
Plaintiff,)
)
v.)
)
CITY OF BOSTON,)
)
Defendant.)

PLAINTIFF'S OPPOSITION TO DEFENDANT CITY OF BOSTON'S
MOTION TO DISMISS PLAINTIFF'S COMPLAINT

The plaintiff, John F. Nevulis, opposes the "Defendant City of Boston's Motion to Dismiss Plaintiff's Complaint" pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. The plaintiff, however, does not oppose dismissal of Count II (Americans with Disabilities Act), the only federal claim in the plaintiff's complaint.

The plaintiff is submitting herewith his "Memorandum of Law in Support of the Plaintiff's Opposition to Defendant City of Boston's Motion to Dismiss Plaintiff's Complaint."

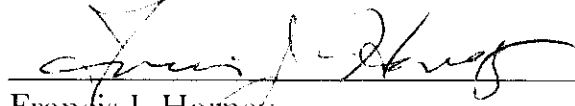
The plaintiff,

By His Attorney,


FRANCIS J. HARNEY – BBO No. 221920
6 Beacon Street Suite 205
Boston, MA 02108
(617) 227-2863

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorneys* of record for each other party by mail 1-7-05.


Francis J. Harney

*Kate Cook, Esq.

*Susan Weise

Assistant Corporation Counsel
City of Boston Law Department
Room 615
City Hall
Boston, MA 02201